

Police Guard O. R. & L. Tracks While Strikers Look On



Scene in Oahu Railway yards today while railroad men were making a second attempt to get through cars containing several strike-breakers. The crowd of men and boys in the background were said to be mostly either strikers or their sympathizers. When the police guard was finally put out, they made no show of activity.

DERAILING OF ENGINE FEATURE OF EVENTFUL DAY IN HARBOR STRIKE

(Continued from page one)

says that only five were loaded this morning because most of the strike-breakers slept on the waterfront all night, and he estimated that the train was brought through this morning to prove that it could be done.

Several others thought that the cars had been well loaded, with strike-breakers slept on the waterfront all night, and he estimated that the train was brought through this morning to prove that it could be done.

Although Sheriff Rose does not anticipate any further trouble today, he is keeping every available reserve officer at the jail where they are lodged and fed whether on duty or not. Mounted officers were sent home to care for their horses and to get a little rest, but they will be on duty again shortly.

Following yesterday morning's clash in the railway yards with strikers who took a car of strike-breakers away from the police and had it returned to the starting point at the Oahu depot, the police went to the yards in larger numbers about 5 o'clock this morning, but they were not ahead of the strikers and up until the time of the wreck the stevedores poured into the yards from every direction.

To forestall the trick the strikers performed yesterday, by turning a switch and shooting the car of strike-breakers into a crowd of strikers instead of to the waiting police, Harry Denison, assistant manager of the Oahu Railway, personally locked every switch from Iwilei road to the piers this morning with brand new padlocks.

Footpolice were then scattered along the right-of-way from Iwilei road to the piers and a cordon of mounted officers stationed at the decks to hold back the anticipated crowd of strikers when the strike-breakers were to be unloaded. Sheriff Rose and Captain Baker personally saw to placing the men and then gave orders for the train to start.

Gasoline Tank Does Damage
Two locomotives, one pushing and one pulling the four boxcars, left the yards, rounded the curve with increasing speed and bore down upon the strikers crowded across the track at the Iwilei road crossing.

Apparently getting up sufficient speed to fly through the crowd before any resistance could be offered, the train came on rapidly with a clear track ahead. Then the strikers' ranks became a howling mass of humanity working to wreck and destroy.

One crowd of strikers sprang up around a lumber pile just Waikiki of Iwilei road and hastily hurled timbers across the track; another prepared to roll heavy car-wheels across the rails farther down; hidden among a number of gasoline casks several strikers suddenly appeared to toss the barrels in front of the train.

One of the barrels bumped on the foot-board and flew to one side; the other caught, was ground under the wheels and the next instant the engine was bumping down the track with all wheels off the rails and tearing up the ties for several rods.

Police Force Strikers Back
Although most of the police were down at the pier waiting for the train, they hurried to the wreck and fought back the jubilant strikers before the latter could open the cars to search for the strike-breakers.

Captain Baker and Harry Evans of the Merchants' Patrol were nearest to the strikers who threw the barrels and with revolvers drawn they started in pursuit. With his fist Baker brought to earth Kaema, a Hawaiian, who is said to be one of the wreckers, but the others scrambled through the cars and disappeared through the yards. Kaema is now in jail.

Although steam and boiling water from wrecked pipes was shooting into the cab when the train came to a jolting stop the engine-men were not hurt and inside of five minutes a crew was at work clearing the wreck under direction of Lester Petrie, master mechanic, and Gerald Hughes, roadmaster.

VIOLENCE DISGUSTS EDWARDSON; HE QUILTS STRIKERS' COMMITTEE

Disgusted with the use by strikers of intimidation and violence, against which he has warned and pleaded since the stevedores' strike began, John J. ("Jack") Edwardson, one of the prime movers in the organization of the longshoremen's local here, today announced that he has resigned from the union's standing committee on arbitration and will no longer serve.

"After they began their attempted violence yesterday morning I saw that I could not remain on the committee and keep my principles any longer," said Edwardson this morning. "I have withdrawn from the arbitration committee of the union, and have refused to serve on it any longer. I am not a member of the longshoremen's local, and served on the committee at the request of the union. I cannot now continue to serve on it after all my warnings and pleadings have been disregarded."

Men's Course Is Feby
That the acts of violence occurring this morning and Tuesday have not been the work of the older and thoughtful men in the union, but have been done by a few young strikers, thoughtless and hot-headed, is the belief of Edwardson.

"It is the biggest folly of the day," he said slowly and with evident feeling. "Those few kids have done just what I warned all union men against ever since the strike began, and by doing so have made the public feel all the union men are advocating violence, which they are not. I cannot and do not believe the acts of this morning and yesterday were done except by a few senseless youths among the strikers. No man of any common sense would ever commit such folly."

Always Cautious Men
Edwardson declared that he has from the first day of the strike, which began September 18, cautioned every man in the union against violence.

"I told them to sit down on the wharves or near them and show the strike-breakers that they were watching them, but I have repeatedly cautioned and warned them against laying hands on the non-union men. Now a few of those boys by their acts have turned public opinion against the whole union, which has not countenanced this violence in any way. Now I am through. I am no longer serving on the committee and have withdrawn because of this utter folly."

ATTORNEY COMPLAINS POLICE REFUSE TO LET HIM SEE ARRESTED MEN

Former District Attorney Robert W. Breckons, who has been engaged as counsel for two of the waterfront men charged with violence and law-breaking, complained this morning that he had been denied access to his clients by the police under orders from Sheriff Rose.

The two men, Kalema and Sam Halstead, were arrested this morning, and after finding he could not see them, Attorney Breckons wrote a letter to the sheriff quoting from the supreme court decision in the Craig labor-recruiting case, to sustain his contention that the police have no right to bar him from his clients.

The letter is as follows: "My Dear Mr. Rose: On behalf of the friends of Kalema and Sam Halstead, two men who were arrested this morning by the police, I desire to enter a most vigorous protest. I was employed by these friends to represent the two men, and requested from you permission to speak to them. I found that no charge had been lodged against them, but they were being held 'for investigation.' I further ascertained, on reliable authority, that attorneys employed by the shipping interests in Honolulu were afforded every opportunity of conversing with the men. Up to the present writing I have not been able to see them, notwithstanding the fact that I have been employed by their friends to represent them."

"It is needless for me to comment, in my own language, on the unfairness of these methods. I cannot do better than to quote the language employed by the supreme court of the

territory in the Craig case. In that case, where a petition for a writ of habeas corpus had been filed by Craig on behalf of certain other persons, it was alleged that it was impossible to obtain the signatures or oaths of said parties to a petition of a like nature in their own behalf, they having been denied by the hereinafter named Julius W. Asch (acting under the instruction, as petitioner is informed and believes, and upon such information and belief, alleges, of John W. Cathcart, attorney for the City and County of Honolulu) the privilege of consulting counsel engaged to represent them or the right to affix their signatures to a petition prepared in their behalf directed to the supreme court of Hawaii, praying their liberty, which said petition so prepared said parties were and are willing and desirous of signing and having presented to the said supreme court."

The truth of this assertion was not denied in the return or in any of the evidence adduced. On the contrary it was attempted to be justified at the closing argument. While no specific relief is asked of us in this respect we deem it appropriate to express our unqualified disapproval of the procedure complained of. One of the fundamental rights of every citizen is that of being represented by counsel in judicial proceedings, and in this instance it is immaterial whether the request for employment of counsel originated with the petitioners themselves or with some one else in their behalf. Impediments to the free exercise of this right by persons in the situation in which these petitioners found themselves are intolerable.

"In view of this language from our supreme court, I have no hesitation in condemning the action taken by you as being not only unfair, but extremely high-handed. The men in question may be guilty of some offense, but they have the right to counsel, and their friends have the right to employ counsel for them. As the supreme court has so well said: 'Impediments to the free exercise of this right are intolerable.'"

GUARD IS READY BUT NO REQUEST IS MADE FOR THEIR SERVICES
Governor Pinkham, shortly before noon today, refused to discuss the question of calling out the National Guard when asked as to his views on the matter by the Star-Bulletin.

He stated, however, that he has received no request from any party for the use of the guard to handle the situation.

"It is not the proper time to talk of calling out the guard now," he remarked during the interview, "and I propose to say nothing on the subject. The sheriff has power to employ all the deputies he wants, hasn't he?"

The chief executive added that he has sent out Raymond C. Brown, to see what developments have occurred from the standpoint of the Chamber of Commerce, and that he expects to have a talk with the chamber secretary this afternoon.

Forbes Visits Scenes
Charles R. Forbes, chairman of the harbor commission, was down at the waterfront this morning for some time, but refused to discuss the situation as far as the strike there is concerned.

Gen. Johnson called twice at the executive chambers this morning, but whether his visits had anything to do concerning the strike was not stated.

JAPANESE EXPRESSES FEARS OF VIOLENCE UPON LUNA MIZUSAKI

One of the Korean laborers who was in the train that was derailed this morning told a representative of the Star-Bulletin that numbers of other Koreans have been engaged by agents of local shipping houses in the Waikiki and Haleiwa districts, and that these are to be sent in later. He said that when he was engaged he was promised \$2 a day and his board.

former members of Mizusaki's gang who joined the union had expressed bitter feelings against Mizusaki, as they recognized his influence among Japanese laborers and the increasing number of strike-breakers under him. He thought it might be necessary for the shipping concerns to furnish particular protection for the person of Mizusaki and added that it was rumored among the Japanese that three or four who are friendly to the union are planning to seek employment among the strike-breakers to act as spies and possibly to injure Mizusaki.

Several Japanese stevedores said that they had learned the meaning of open and closed shop from reading the papers, had been considering the matter and were no longer anxious to join the union.

Brig-Gen. Samuel I. Johnson, the adjutant-general of the National Guard, was told this morning of the demonstration by the crowd of strikers on the Oahu Railway grounds which resulted in the derailment of an engine. He refused to comment on the situation save to say that if necessity should arise for calling out the guard, this call must be given by the governor.

Guard Ready to Respond
Governor Pinkham has the authority of issuing any call, he said, "and of course if this call is given the guard is in a position to respond."

Territorial officials point out that any call upon the guard to protect property can consistently come only after the local police have declared their inability to cope with the situation, the call upon the governor being made by the mayor.

Only once has the guard been called out to quell a riot. This was at Lahaina, Maui, in 1905, when Gen. Johnson, then captain of Company F, took 45 men from Honolulu and put down in a few days a disturbance that had arisen among laborers on the Valley Island.

Activity such as took place at the railway yards this morning would be defined as a riot under the laws of the territory, Attorney General I. M. Stainback pointed out this morning. Attorney General's View
"These say that a riot is where three or more being in unlawful assembly join in doing or actually beginning to do an act, with tumult and violence, and striking terror, or tending to strike terror into others."

"Menacing language, or gestures, or show of weapons or other signs, or demonstrations tending to excite terror in others, are sufficient violence to characterize an unlawful assembly or riot."

Stainback says he thinks it is rather a matter for the sheriff or high sheriff to handle such a situation than for the National Guard, however. He calls attention to the employment of onlookers as deputies in case of disturbance. Section 4063 deals with this phase of the situation.

"If any persons riotously or unlawfully assembled, who have been commanded to disperse by the high sheriff, sheriff, deputy sheriff, chief of police, or district magistrate, shall refuse or neglect to disperse without unnecessary delay, any two of such officers may require the aid of a sufficient number of persons in arms, or otherwise, as may be necessary, and shall proceed in such manner as in their judgment shall be expedient forthwith to disperse and suppress such unlawful, riotous, or tumultuous assembly, and seize and secure the persons composing the same, so that they may be proceeded with according to law."

Mayor Lane said this forenoon that he had not been informed by the sheriff that the latter is unable to cope with the situation and would require the militia and that in the absence of such information and request it was not for him to act upon his own initiative.

SHIPPERS UNITE IN POLICY AND WORK AT PIERS GOES RIGHT ON

Japanese strike-breakers were put to work discharging the light cargo brought here by the Canadian-Australasian liner Makura this morning at Pier 17, and loading on the small amount, about 20 tons, taken aboard here for Suva, Auckland and Sydney.

Work was pushed right along all last night on the Matson steamer Wilhelmina at Pier 19, and in consequence she was despatched on time for San Francisco at 10 o'clock this morning from Pier 15, to which she was moved early today. She took out a full cargo of sugar, canned pineapples, bananas and miscellaneous freight, amounting to between 7000 and 8000 tons.

Manoa Work Goes Well
The Manoa is being discharged as rapidly as usual today, and the agents expect to get her out for Kahului by 6 o'clock Friday evening, returning to Honolulu either Sunday or Monday morning to steam at noon Tuesday for San Francisco.

Waldron Reverses Attitude
Local shipping men today declared they feel justified absolutely in refusing to deal with the strikers any longer, as a result of the violence of yesterday and this morning.

"We are not divided in any way as to opinions of what should be done to protect lives and property," said Fred L. Waldron, who has advocated more wages for the strikers, but who today as a result of the violence perpetrated by strikers in the last 24 hours, changed his views completely.

"In view of this law-breaking, we, as agents for the Great Northern Pacific Steamship Company, are prepared to fall right in line with the other steamship agencies here in refusing to consider the union's demands until the law-breaking is stopped. It is just on account of yesterday's and this morning's lawlessness that we have come to our decision," he stated.

Four Menus Served
With four different menus of Chinese, Japanese, Hawaiian and Filipino food being prepared by cooks of those nationalities, strike-breakers at the Pier 16 "camp" furnished and equipped by a committee of shipping firms representing all steamship lines doing business or having their headquarters in this port, were enjoying much better food and living conditions than they usually have in their homes.

Strike-Breakers Have Showers
On the weather side of Pier 16 a battery of shower baths, with enough showers to enable 30 or 40 men to take a shower at a time, were in use. There were lavatories near them. Inside the pier were hundreds of comfortable cot mattresses on which the night shift was sleeping. Outside a handful of Filipinos was happily engaged shooting craps for two-bit pieces and rolling the dice enthusiastically.

There were new tables at which the men ate their food. Signs were on the walls telling the men where to put dirty dishes after meals. Well-cooked food was being prepared aboard the barge Bennington in quantities sufficient to feed abundantly all the strike-breakers on the job.

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